IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.27414 of 2006

Dated: January 03, 2007

Between:

D. Kondal Rao, S/o. Subbarayudu Dasari,
29 years, Unemployee, Rachana Printers,
Korumamilla village and mandal,
Cuddapah District.

… Petitioner

And

The Secretary, APSWREI Society, Hyderabad, and
Another.

… Respondents

Order:

This Writ Petition has been filed seeking Mandamus to declare the action of the respondents in not absorbing the petitioner on fulltime basis as illegal and a consequential direction to the respondents to absorb him on fulltime basis as Physical Education Teacher.

2. Petitioner claims to have completed U.G.D.P.E.D. course in the

year 1994-95 from Sri Venkateswara University, which deals with physical education and training of students. It is the case of the petitioner that after he completed the said course, he worked in various schools before being appointed as Physical Education Teacher on part-time basis in the second respondent school on 27-08-2003 for the academic year 2003-2004. It is stated that though he made a representation to the first respondent in the year 2004, 2005 and also in 2006, seeking regularization of his services, no action whatsoever has been taken on his representations. Hence, he has come up with this Writ Petition.

3. Admittedly, the case of the petitioner is that he was appointed in the second respondent school for a period of one year in the academic year 2003-04 on contract basis. In view of the fact that the petitioner was appointed only on contract basis and the contracted period has come to an end, by virtue of the service on contract basis, which the petitioner has rendered, he cannot seek directions to the respondents to absorb him on regular basis more so in the absence of his being appointed against any regular vacancy by following regular procedure.

4. In the circumstances, the writ petition is disposed of with a limited direction, directing the respondents to consider the case of the petitioner along with other candidates if any vacancies are notified in future either on contract basis or regular basis, keeping in mind his past service and record. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

January 03, 2007

MRR